

**DECISION
AND
FINDING OF NO SIGNIFICANT IMPACT
FOR
WILDLIFE DAMAGE MANAGEMENT IN NORTH DAKOTA
FOR THE PROTECTION OF LIVESTOCK, PUBLIC HEALTH AND SAFETY,
PROPERTY, AND WILDLIFE**

The U.S. Department of Agriculture, Animal and Plant Health Inspection Service (USDA-APHIS), Animal Damage Control (ADC) program responds to a variety of requests for assistance from individuals, organizations and agencies experiencing damage caused by wildlife. Ordinarily, according to APHIS procedures implementing the National Environmental Policy Act (NEPA), individual wildlife damage management actions are categorically excluded (7 CFR 372.5(c), 60 Fed. Reg. 6000-6003, 1995). To evaluate and determine if any potentially significant impacts to the human environment from ADC's planned and proposed program would occur, an environmental assessment (EA) was prepared. The Pre-decisional EA, released by ADC in February 1997, documented the need for predator damage management in North Dakota and assessed potential impacts of various alternatives for responding to wildlife damage problems. ADC's proposed action is to implement an Integrated Wildlife Damage Management (IWDM) program on all land classes in North Dakota to protect livestock, public health and safety, property and wildlife from predator damage, as requested and appropriate.

The EA analyzes the potential environmental and social effects for preventing or resolving wildlife damage related to the protection of livestock, wildlife, property, and to safe guard public health and safety on private and public lands in North Dakota. In Fiscal Year (FY) 95, North Dakota ADC had agreements to conduct predator damage management on 2,204,420 acres or about 5% of North Dakota (MIS 1996). North Dakota contains Federal, State, Tribal, county, municipal and private lands. Comments from public involvement letters and from the Pre-decisional EA were reviewed for substantive issues and alternatives which were considered in developing this decision. The analysis and supporting documentation are available for review at the U.S. Department of Agriculture, Animal and Plant Health Inspection Service, Animal Damage Control, 1824 North 11th Street, Bismarck, North Dakota 58501-1913.

ADC is the Federal program charged by law to reduce damage caused by wildlife (Animal Damage Control Act of March 2, 1931, as amended (46 Stat. 1486; 7 U.S.C. 426-426c) and the Rural Development, Agriculture, and Related Agencies Appropriations Act of 1988, Public Law 100-102, Dec. 27, 1987. Stat. 1329-1331 (7 U.S.C. 426c). Wildlife damage management is the alleviation of damage or other problems caused by or related to the presence of wildlife, and is recognized as an integral part of wildlife management (The Wildlife Society 1992). ADC uses an IWDM approach, commonly known as Integrated Pest Management (ADC Directive 2.105) in which a combination of methods may be used or recommended to reduce damage. ADC wildlife damage management is not based on punishing offending animals but as one means of reducing damage and is used as part of the ADC Decision Model (Slate et al. 1992, USDA 1994, ADC Directive 2.201). The imminent threat of damage or loss of resources is often deemed sufficient for wildlife damage management actions to be initiated (U.S. District Court of Utah 1993). Livestock producers and wildlife management agencies have requested ADC to conduct predator damage management to protect livestock, wildlife and threatened and endangered (T&E) species in North Dakota. All North Dakota ADC wildlife damage management is in compliance with relevant laws, regulations, policies, orders and procedures, including the Endangered Species Act (ESA) of 1973.

ADC cooperates with the U.S. Forest Service (USFS), Bureau of Land Management (BLM), U.S. Fish and Wildlife Service (USFWS), North Dakota Game and Fish (NDGF), North Dakota Department of Agriculture (NDDA), North Dakota State Health Department and the North Dakota State University Cooperative Extension Service to reduce wildlife damage. The NDGF has the responsibility to manage all wildlife in North Dakota, including Federally listed T&E species and migratory birds, which is a joint responsibility with the USFWS. Memoranda of Understanding (MOUs) signed between APHIS-ADC and the USFS, BLM, NDGF, NDDA and American Indian Tribes clearly outline the responsibility, technical expertise and coordination between agencies. The MOUs with the USFS and BLM provide guidance for compliance with the National Environmental Policy Act (NEPA) and the

basis for the interdisciplinary process used to develop the EA. A Multi-agency Team with representatives and advisors from each of the cooperating agencies convened to assess the impacts of ADC wildlife damage management in North Dakota. The USFS and BLM cooperated with North Dakota ADC to determine whether the proposed action is in compliance with relevant laws, and USFS or BLM regulations, policies, orders, and procedures. All North Dakota ADC wildlife damage management is conducted consistent with the ESA and the Section 7 Consultation with the USFWS.

Within North Dakota, cattle, sheep and goats are permitted to graze on Federal lands administered by the USFS and BLM, and on State and private lands. As proposed in the EA, North Dakota ADC would protect livestock, wildlife, property, and public health and safety, as requested and appropriate, on all land classes in North Dakota.

A Pre-decisional EA was prepared and released to the public for a 21-day comment period. Notice of availability of the Pre-decisional EA was also published in the six major newspapers in North Dakota. A total of four comment letters were received in response to the Pre-decisional EA. Documentation of the public involvement effort, including comment letters and specific responses to all the issues identified in those letters, is available for public review from the ADC State Director's office in Bismarck. Although most of the comments raised were already addressed in the EA, responses to some are presented below.

1. Two commenters felt that the geographic area covered by the EA was too large, and an EIS should be prepared.

- As noted in Chapter 1 of the EA, under the National Environmental Policy Act (NEPA), EAs are prepared to determine whether a proposed action has any significant impact on the quality of the human environment and to determine whether an EIS is necessary (40 CFR 1501.3 and 1501.4).
- As stated on page 1-1 of the EA, APHIS NEPA implementing procedures allow for individual wildlife damage management actions of the kind described in the EA to be categorically excluded from the requirements for preparation of either an EIS or EA (7 CFR 372.5 (c), 60 Fed. Reg. 6,000-6,003, 1995).

Nevertheless, this EA was prepared to evaluate and determine if any potentially significant impacts occur to the human environment from the proposed action. As noted on page 1-3 of the EA, an EA was prepared by the U.S. Forest Service to assess the potential impacts of ADC's predator damage management activities on the Shyenenne National Grasslands. This EAs also resulted in a finding of no significant impact (FONSI). The ADC EA has taken a harder look at the impacts of ADC's activities than any other predator damage management EA in North Dakota, but it has similarly resulted in a FONSI. The ADC Program has determined that an EIS is not required and that preparation of an EA for the North Dakota ADC program complies with NEPA, the Council on Environmental Quality (CEQ) NEPA implementing regulations (40 CFR 1500) and with APHIS NEPA implementing regulations (7 CFR 372).

2. One commenter expressed concerns about ADC's use of objectives in the analysis and decision-making process.

The objectives identified in the EA are directly relevant to ADC's mission and were developed as what was realistically obtainable under the current program. The current program (the No Action Alternative) was the standard used for a relative comparison showing how all the other alternatives would or would not meet the objectives. Through this comparison, ADC has gone beyond the requirements of NEPA in terms of the required environmental analysis. The comparison of the objectives with the various alternatives (Table 4-2 in the EA) suggests that Alternative 3 (ADC's proposed action) is the logical choice to implement. If objectives had not been developed and used in the analysis process, the analysis of the anticipated impacts from the various alternatives (Table 4-14 in the EA) still suggests ADC's proposed action as the logical alternative to implement.

3. One commenter suggested that ADC's removal of coyotes may increase livestock depredation problems. They cited evidence suggesting that coyotes from unexploited populations produce smaller litters than coyotes in areas subject to human-caused mortality.

This argument was raised in *Southern Utah Wilderness Alliance v. Thompson* (U.S. District Court of Utah 1993) and addressed by Connolly (1992) during that court case. What happens in an unexploited coyote population bears little relevance to the situation in North Dakota or in most other areas of the U.S. As noted in the EA, coyote populations in North Dakota are subject to mortality not only from ADC, but also from natural mortality, private trappers and hunters as well as ranchers protecting their stock.

Mortality in coyote populations can range from 19-100% with 40-60% mortality most common. Several studies of coyote survival rates, which include calculations based on the age distribution of coyote populations, show typical annual survival rates of 45 to 65% for adult coyotes. High mortality rates have also been shown in four telemetry studies involving 437 coyotes that were older than 5 months of age; 47% of the marked animals are known to have died. Mortality rates among "unexploited" coyote populations were reported to be between 38-56%. In studies where reported coyote mortality was investigated, only 14 of 326 recorded mortalities were due to ADC activities.

Coyotes in areas of lower population densities, may reproduce at an earlier age and have more off spring per litter, however, these same populations generally sustain high mortality rates of adults and offspring. Therefore, the overall population of the area does not change. The number of breeding coyotes does not substantially increase in the absence of exploitation and individual coyote territories produce one litter per year independent of the population being exploited or unexploited. Connolly and Longhurst (1975) demonstrated coyote populations in exploited and unexploited populations do not increase at significantly different rates and that an area will only support a population to its carrying capacity.

ADC is unaware of any scientific data that would prove speculation about unexploited coyote populations posing less risk to livestock than exploited populations. Windberg et al. (*in press*), however, noted that the high incidence of coyote predation on goats during their study with an unexploited coyote population was contrary to this theory.

The EA also noted that without a Federal ADC program, coyote damage management efforts would still likely be carried out by another entity.

4. Some commentors believed the EA failed to justify the proposed action based on big game protection and an EIS needed to be prepared because of the benefit to wildlife.

As noted throughout the EA, predator damage management for the protection of any wildlife species would only be conducted after a request has been received by the agency responsible for managing that wildlife species and based on needs they identify. An EIS is required only when a beneficial impact is determined by the action agency to be "significant" in terms of the criteria contained in the CEQ NEPA Implementing Regulations (40 CFR 1508.27). The proposed action includes predator damage management for game species enhancement if the NDGF, USFWS or an American Indian Tribe identifies the need for and requests such activity to meet current or future management goals for certain localized game populations. Populations of game species such as deer, pronghorn antelope or migratory birds are cyclic depending on weather and other habitat and mortality factors, including predation. Any increases in a localized population, that result from predator damage management, would be within those cyclical limits that can occur without any Federal predator damage management programs, and would thus not be "significant" in terms of NEPA. Under the current North Dakota ADC program, predator damage management for big game species enhancement is not currently being conducted.

The regulation (40 CFR §1508.27(b)(9)) does not suggest an EIS is required merely by the presence of threatened or endangered (T&E) species, but requires a determination of the degree to which a proposed action may adversely affect such Federally listed species. The EA presented information on T&E species and addressed potential impacts in Chapter 4, and described or referenced mitigation measures already in place as a result of ADC's standard operating procedures or established as a result of Section 7 Consultation with the USFWS. The analysis supports a conclusion of no significant impact regarding T&E species.

5. Some commentors believe the program is not cost effective, that ADC wildlife damage management has no effect on livestock lost, and the EA did not demonstrate a need on BLM lands.

ADC addressed need using an analysis of studies that assessed predation when wildlife damage management was

present and when it was not as cited in the ADC Programmatic EIS, Chapter 4 (USDA 1994) and the EA. When wildlife damage management was absent, livestock producers sustained greater loss from predators. ADC is also charged by law to protect agricultural resources (Animal Damage Control Act of 1931 (46 Stat. 1486; 7 U.S.C. 426-426c), the Rural Development, Agriculture and Related Agencies Appropriations Act of 1988). To fulfill these directives, wildlife damage management is conducted to prevent or minimize damage and protect resources while complying with strict measures to ensure public safety as well as the protection of domestic animals, nontarget and T&E species. Wildlife damage management is not based on punishing offending animals but as a means for reducing damage and is conducted using the ADC Decision Model described in the programmatic EIS (USDA 1994, pp. 2-23 to 2-36).

Coyotes and other predators evaluated in the EA are not bound by human-made administrative boundaries, such as BLM Districts, but are dependent on an adequate prey base, interspecific competition, intraspecific competition and density. ADC used coyote research studies that determined coyote predator behavior, and the effectiveness of predator damage management to reduce losses. The imminent threat of damage or loss of resources is often sufficient for wildlife damage management to be initiated. The need for action is derived from the specific threats to the resources and the available methods for responding to those threats. Knowlton (1989) suggested that increased abundance of natural prey cause an increase in the coyote population which resulted in greater predation on sheep. When natural densities of prey declined, but while coyote densities were still high, predation on sheep escalated sharply.

6. One commentor stated that the EA failed to estimate predator populations for each BLM District.

The EA estimates predator populations for the entire State of North Dakota to better assess impacts across administrative boundaries. Coyotes and other predators evaluated in the EA are not bound by human-made boundaries, such as BLM Districts or National Grasslands, but are dependent on an adequate prey base, interspecific competition, intraspecific competition and density. ADC used estimates from the NDGF to determine coyote population densities in North Dakota; various land uses and types, harvest, age structure and reproduction were considered in the population model.

7. One commentor suggested that ADC needed to consider the phenomena of "mesopredator release" (i.e. in the absence of large predators, smaller predators such as foxes, raccoons and skunks, can become more abundant), and the potential for this to negatively impact bird species of special concern.

While the phenomena of mesopredator release has been documented in the absence of larger predators, this phenomena would not likely result from ADC's predator damage management efforts. As noted in the EA, ADC removes only a small percentage of the estimated coyote population, and immigration and natural reproduction contribute to repopulation of areas where coyotes have been removed.

Consistency

Wildlife damage management is conducted on National Forest System and BLM lands consistent with MOUs and policies of APHIS-ADC, the USFS and BLM, and the EA. Any Work Plans developed for wildlife damage management, pursuant to this decision, will be consistent with the direction provided in the Land and Resources Management Plans (LRMPs) for the National Grasslands found in North Dakota and the Resource Management Plans (RMP) for the Dakotas BLM District. On USFS and BLM managed lands, public safety and environmental concerns are adequately mitigated through jointly developing Work Plans with ADC and the USFS or BLM. The USFS and BLM may, at times, restrict wildlife damage management that concerns public safety or resource values; modifications may also be made in areas where wildlife damage management occurs. All wildlife damage management will be conducted in a manner consistent with the ESA and the Section 7 Consultation with the USFWS.

The analyses in the EA demonstrate that Alternative 3 provides ADC the best opportunity to meet the stated objectives with the lowest impacts on: 1) nontarget species and 2) designated wildlife and T&E species. Alternative 3 best: 1) addresses the issues identified in the EA and provides the environmental safeguards for public safety, 2) balances the economic effects of livestock losses to USFS and BLM permittees and private land owners, and the

concerns for the other multiple use values of the USFS and BLM and 3) allows ADC to meet its obligations to the NDGF, NDDA and other cooperating agencies or entities. As a part of this decision, the North Dakota ADC program will provide all requesting cooperators and cooperating Federal, State and local agencies with information on nonlethal management techniques proven to be effective for reducing predation.

Monitoring

The North Dakota ADC program will provide the ADC take of target and nontarget animals to the NDGF to determine if the total statewide take is within allowable harvest levels as determined by the NDGF. North Dakota ADC will also monitor its progress toward the objectives found in Chapter 1 of the EA, including Objective A-7 to monitor the implementation of producer used nonlethal techniques. Nonlethal actions employed by cooperators will be tracked using the ADC MIS database once this capability is developed.

Public Involvement

The APHIS implementing regulations for NEPA (7 CFR 372.8, 1995) require: “(3) Notification of the availability of environmental assessments and findings of no significant impact for proposed activities will be published . . . through publication in a local or area newspaper of general circulation. . . .”

However, ADC has gone beyond this “minimum” requirement with our public involvement. Before development of the EA, approximately 427 letters were mailed to individuals and organizations identified as having an interest in ADC issues. Notices of the proposed action, availability of the public involvement letter and availability of the Pre-decisional EA were also published in the six major newspapers in North Dakota. A total of 26 comment letters or cards were received during the initial public involvement period and four comment letters were received on the Pre-decisional EA. These letters were reviewed to identify any additional substantive issues to be addressed.

Major Issues

The EA describes the alternatives considered and evaluated using the identified issues. The following issues were identified as important to the scope of the analysis (40 CFR 1508.25).

1. Concern for the North Dakota kill of predators to cause predator population declines, when added to other mortality.
2. Concern for the North Dakota ADC kill of nontarget wildlife and T&E species incidental to North Dakota predator damage management.
3. Concern for the potential use of each predator damage management method.
4. Concern about the selectivity, relative cost, and effectiveness of each predator damage management method.
5. Concern about the effects of North Dakotas ADC predator damage management on public health and safety.
6. Concern about the economic effects of predator damage management.

Alternatives That Were Fully Evaluated

The following Alternatives were developed by the Multi-agency Team to respond to the issues. Two additional alternatives were considered but not analyzed in detail. A detailed discussion of the effects of the Alternatives on objectives and issues is described in the EA; below is a summary of the Alternatives, objectives and issues.

Alternative 1. No Action - Continue the current North Dakota ADC Program. The No Action Alternative was analyzed and used as a baseline for comparing the effects of the other Alternatives as required by 40 CFR

1502.14(d). This alternative consists of the current program of technical assistance and operational IWDM (ADC Directive 2.105) by North Dakota ADC on the Sheyenne National Grasslands, Tribal, State, county, municipal, and private lands under Cooperative Agreement and Agreement for Control with North Dakota ADC. Alternative 1 would not allow ADC to meet seven of the 10 objectives for the program. The current program direction is primarily for the protection of agricultural resources and public health and safety.

Alternative 2. No Federal North Dakota ADC Program. This alternative would terminate the Federal Predator Damage Management program in North Dakota. Alternative 2 was not selected because ADC is charged by law and reaffirmed by a recent court decision to reduce damage caused by wildlife. This alternative would not allow ADC to meet its statutory responsibility for providing assistance or to reduce wildlife damage. Alternative 2 would not allow ADC to meet nine of the 10 objectives for the program. Only the nontarget species objective would be met. Alternative 2 violates the MOU between APHIS-ADC whereby the USFS and BLM mutually recognize that management of wildlife damage on USFS and BLM managed lands is important and may involve the predator damage management to achieve land and resource management objectives.

Alternative 3. Integrated Wildlife Damage Management for Multiple Resources and Land Classes: (Proposed Alternative). This alternative would allow for predator damage management based on the needs of multiple resources (livestock, wildlife, property, and public health and safety) and would be implemented following consultations with the NDGF, NDDA, Federal agencies or Tribes, as appropriate. This alternative would allow for a Federal ADC program to protect multiple resources on all land classes at the request of the land management agency or individual if a Cooperative Agreement, Agreement for Control and/or a Wildlife Damage Management Work plan with North Dakota ADC, as appropriate, are in place. Alternative 3 was selected because it best allows ADC to meet the objectives described in the EA and is most consistent with the Forest Service LRMPs and BLM RMPs. Alternative 3 conforms to the MOUs between ADC, the Forest Service and BLM that mutually recognize that the management of wildlife damage on Forest Service and BLM lands is important and may involve the management of predator damage to achieve land and resource management objectives. Alternative 3 would allow ADC to fully meet 10 of the 10 objectives for the program. Analysis of Alternative 3 showed low level of impact for the target species, nontarget species and T&E species.

Alternative 4. Nonlethal Damage Management Required Prior to Lethal Control. This alternative would require that nonlethal damage management be implemented before the initiation of lethal predator damage management by North Dakota ADC. This alternative was not selected because no standard exists to determine diligence in applying nonlethal methods nor are there any standards to determine how many nonlethal applications are necessary before initiation of lethal controls. ADC is charged by law to reduce damage caused by wildlife and this was reaffirmed in a recent court decision (U. S. District Court of Utah 1993). Consideration of wildlife protection is not included with the non-lethal methods currently available nor could ADC base control strategies on the needs of designated wildlife. Alternative 4 would only allow ADC to meet four of the 10 objectives described in the EA. Alternative 4 would not allow ADC to: 1) respond to all requests, 2) assist the NDGF or USFWS in meeting wildlife management objectives, 3) design a wildlife damage management program with NDGF and USFWS input, and 4) address public health and safety requests.

Alternative 5. Corrective Damage Management Only. This alternative would require that livestock depredation occur before the initiation of lethal damage management. No preventive lethal control would be allowed. This alternative would not allow for any preventive damage management and management could only be implemented after the onset of losses. Alternative 5 was not selected because it: 1) is often difficult to remove offending coyotes quickly enough to prevent further losses once predation has begun, 2) does not allow ADC to meet the objectives described in the EA, and 3) does not allow ADC to meet its statutory directives. Under Alternative 5, ADC could conduct wildlife damage management only after verification of livestock losses. ADC is charged by law to minimize damage caused by wildlife and this was reaffirmed by a recent court decision (U. S. District Court of Utah 1993). The alternative would delay management of problem wildlife while verification of losses occurred and management actions could be implemented. Alternative 5 would not allow ADC to meet seven of the 10 objectives. Alternative 5 would not allow ADC to: 1) respond to all requests, 2) reduce predation to sheep, lambs and calves, 3) assist the NDGF or USFWS in meeting wildlife management objectives, 4) design a wildlife damage management program with NDGF and USFWS input, and 5) address public health and safety requests.

Alternative 6. Technical Assistance Only. Under this alternative, North Dakota ADC would not conduct operational predator damage management in North Dakota. The entire program would consist of only technical assistance and all operational wildlife damage management in North Dakota would be eliminated. Alternative 6 was not selected because it was inconsistent with Forest Service and BLM policy, and it is likely the Forest Service and BLM could not meet their management guidelines. Alternative 6 would not allow ADC to meet eight of the 10 objectives. Alternative 6 would not allow ADC to: 1) respond to all requests, 2) reduce predation to sheep, lambs and calves, 3) monitor the implementation of producer used nonlethal methods, 4) assist the NDGF or USFWS in meeting wildlife management objectives, 5) design a wildlife damage management program with NDGF and USFWS input, and 6) address public health and safety requests

Alternatives Considered but not Analyzed in Detail are the Following:

Compensation for Wildlife Damage Losses. The Compensation alternative would direct all North Dakota ADC program efforts and resources to the verification of livestock and poultry losses from predators and providing monetary compensation to the producers. ADC services would not include any direct damage management nor would technical assistance or nonlethal methods be provided. This alternative was eliminated from detailed analysis in ADC's Programmatic EIS (USDA 1994) because of many disadvantages such as: (1) the alternative would require large expenditures of money and a large work force to investigate and validate all losses and to determine and administer appropriate compensation, (2) compensation would likely be below full market value and many losses could not be verified, (3) compensation would give little incentive to livestock owners to limit predation through improved husbandry practices and other management strategies, (4) not all ranchers would rely completely on compensation and lethal control of predators would most likely continue as permitted by State law, and (5) Congress has not appropriated funds to compensate for predation or other wildlife damage to agricultural products.

Eradication and Suppression. The eradication and suppression alternative would direct all North Dakota ADC program efforts toward planned, total elimination of native predatory species. Eradication of coyotes in North Dakota is not supported by North Dakota ADC, NDGF or NDDA. By North Dakota state statute, "*The legislature recognized the importance of maintaining close contact with living communities and environmental systems.*" The law mandates the acquisition of natural areas (North Dakota Century code (NDCC) 55-11-01). Other statutory policies are to preserve the state's natural resources and wildlife, and to protect wetlands (NDCC 4-22-01) (Defenders of Wildlife and the Center for Wildlife Law 1996). This alternative will not be considered by North Dakota ADC in detail because: (1) ADC is opposed to the eradication of any native wildlife species, (2) NDGF and NDDA oppose the eradication of any native North Dakota wildlife species, (3) the eradication of a native species or local population would be extremely difficult, if not impossible, to accomplish, (4) would be cost prohibitive, and (5) eradication is not acceptable to most people.

Finding of No Significant Impact

The analysis in the EA indicates that there will not be a significant impact, individually or cumulatively, on the quality of the human environment as a result of this proposed action. I agree with this conclusion and therefore find that an EIS need not be prepared. This determination is based on the following factors:

1. Predator damage management, as conducted by ADC in North Dakota, is not regional or national in scope.
2. The proposed action would pose minimal risk to public health and safety.
3. There are no unique characteristics such as park lands, prime farm lands, wetlands, wild and scenic areas, or ecologically critical areas that would be significantly affected.
4. The effects on the quality of the human environment are not highly controversial. Although there is some opposition to predator control, this action is not highly controversial in terms of size, nature, or effect.
5. Based on the analysis documented in the EA and the accompanying administrative file, the effects of the proposed predator damage management program on the human environment would not be significant. The effects


of the proposed activities are not highly uncertain and do not involve unique or unknown risks.

6. The proposed action would not establish a precedent for any future action with significant effects.
7. No significant cumulative effects were identified through this assessment. The number of animals taken by ADC, when added to the total known other take of all species, falls well within allowable harvest levels.
8. The proposed activities would not affect districts, sites, highways, structures, or objects listed in or eligible for listing in the National Register of Historic Places, nor would they likely cause any loss or destruction of significant scientific, cultural, or historical resources.
9. An informal Section 7 consultation with the USFWS confirmed that the proposed action would not likely adversely affect any T&E species.
10. The proposed action would be in compliance with all Federal, State, and local laws imposed for the protection of the environment.

Decision and Rationale

I have carefully reviewed the EA and the input from the public involvement process. I believe that the issues identified in the EA are best addressed by selecting Alternative 3 (Integrated Wildlife Damage Management for Multiple Resources and Land Classes - Proposed Alternative in the EA) and applying the associated mitigation and monitoring measures discussed in Chapter 3 of the EA. Alternative 3 would provide the greatest effectiveness and selectivity of methods available, the best cost-effectiveness, and has the potential to even further reduce the current low level of risk to the public, pets, and T&E species. ADC will continue to use all currently authorized wildlife damage management methods in compliance with all the applicable mitigation measures listed in Chapter 3 of the EA. I have also adopted the Pre-Decisional North Dakota ADC Wildlife Damage Management in North Dakota for the Protection of Livestock, Public Health and Safety, Property, and Wildlife EA as the final. Most comments identified from public involvement were minor and did not change the analysis.

For additional information regarding this decision, please contact Louis E. Huffman, APHIS-ADC, 1824 North 11th Street, Bismarck, North Dakota 58501-4407, telephone (701) 250-4405.



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3-20-97
Date

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